

October 10, 2006

Lorin D. Netterville

06-E-88096 sh

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

UNITED STATES EQUAL EMPLOYMENT)

OPPORTUNITY COMMISSION, )

)

Plaintiff, )

CIVIL ACTION

)

NO. H-05 3377

v. )

)

CHEVRON PHILLIPS CHEM. CO., )

LP, )

)

Defendant. )

\*\*\*\*\*

ORAL DEPOSITION OF

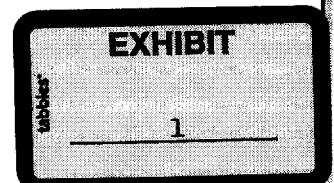
LORIN D. NETTERVILLE

October 10, 2006

Volume 1

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ORAL DEPOSITION of LORIN D. NETTERVILLE, produced as a witness at the instance of the Defendant, and duly sworn, was taken in the above-styled and numbered cause on the 10th of October, 2006, from 10:16 a.m. to 3:54 p.m., before Shanon M. Hair, CSR in and for the State of Texas, reported by machine shorthand, at the offices of the United States Equal Employment Opportunity Commission, 1919 Smith Street, 7th Floor, Houston, Texas 77002, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.



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<p>1 INDEX</p> <p>(Continued.)</p> <p>2</p> <p>3 EXHIBITS</p> <p>4 NO. DESCRIPTION PAGE</p> <p>5 12.....153</p> <p>Charge of Discrimination</p> <p>6 13.....165</p> <p>Charge Information Form</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 (10:16 a.m.)</p> <p>2 LORIN D. NETTERVILLE,</p> <p>3 having been first duly sworn, testified as follows:</p> <p>4 EXAMINATION</p> <p>5 BY MR. McLAUGHLIN:</p> <p>6 Q. Ms. Netterville, my name is Scott McLaughlin, I</p> <p>7 represent Chevron Phillips Chemical Company in a lawsuit</p> <p>8 that the EEOC has filed against it. Are you aware of that?</p> <p>9 A. I am.</p> <p>10 Q. Okay. We've never met before have we, ma'am?</p> <p>11 A. No.</p> <p>12 MR. McLAUGHLIN: And someone's knocking at</p> <p>13 the door.</p> <p>14 (Discussion off the record at 10:17 a.m.)</p> <p>15 Q. (BY MR. McLAUGHLIN) Are you on any medication</p> <p>16 today, Ms. Netterville, that may affect your ability to</p> <p>17 recall events of the past?</p> <p>18 A. I'm on pain medication.</p> <p>19 Q. Okay. Do you have any reason to think that that</p> <p>20 could affect your memory?</p> <p>21 A. Not usually.</p> <p>22 Q. But sometimes?</p> <p>23 A. Well, I can't say 100 percent it won't, but I --</p> <p>24 you know.</p> <p>25 Q. All right.</p>

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<p>1 A. I haven't had that problem before. But just so</p> <p>2 you know, I am on pain medication.</p> <p>3 Q. All right. Have you ever given a deposition</p> <p>4 before?</p> <p>5 A. I have not.</p> <p>6 Q. All right. Have you ever given any sworn</p> <p>7 testimony before?</p> <p>8 A. Yeah.</p> <p>9 Q. In what sort of proceeding?</p> <p>10 A. A divorce proceeding.</p> <p>11 Q. Were you in court when you gave that testimony?</p> <p>12 A. No. I was in, like, a side room. There was a</p> <p>13 magistrate. Is that what they're called? It wasn't the</p> <p>14 judge. It was the judge's helper-type person --</p> <p>15 Q. Right.</p> <p>16 A. -- who was doing the questioning.</p> <p>17 Q. Do you recall -- I'm sorry. Do you recall giving</p> <p>18 the oath like you did earlier today --</p> <p>19 A. Uh-huh.</p> <p>20 Q. -- and actually question and answer stuff?</p> <p>21 A. I did.</p> <p>22 Q. Besides that, have you ever given any sworn</p> <p>23 testimony?</p> <p>24 A. Well, let's see. I divorced the same guy twice.</p> <p>25 So, I guess both times I would have had to give sworn</p>	<p>1 memory.</p> <p>2 A. Right. And as far as I know, it won't.</p> <p>3 Q. All right.</p> <p>4 A. I've never had it do it before.</p> <p>5 Q. Well, no physician has ever told you, I take it,</p> <p>6 that the medication might affect your memory, right?</p> <p>7 A. No, they haven't.</p> <p>8 Q. Now, a little bit about the process today. I'm</p> <p>9 going to ask questions. You're going to try to answer. If</p> <p>10 I ask a question you don't understand, instead of trying to</p> <p>11 answer it, just tell me to do a better job, okay?</p> <p>12 A. Okay.</p> <p>13 Q. Because I guarantee you there will be a point in</p> <p>14 time today, probably more than one, where I'll ask a</p> <p>15 question that I don't understand.</p> <p>16 A. Okay.</p> <p>17 Q. And, rather, than you try to answer something</p> <p>18 that's unintelligible, better for you to tell me to clarify</p> <p>19 my question, okay?</p> <p>20 A. Uh-huh.</p> <p>21 Q. The other thing is try to articulate answers</p> <p>22 instead of an "uh-huh" or "huh-uh," nod of the head, that</p> <p>23 type of thing. The reason for that is the court reporter on</p> <p>24 your right has an easier time if she just takes down a "yes"</p> <p>25 or a "no" or whatever the case may be, as opposed to a nod</p>
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<p>1 testimony --</p> <p>2 Q. Okay. But --</p> <p>3 A. -- but I can't think of any other.</p> <p>4 Q. All right. Now, as far as the deposition goes,</p> <p>5 what we're doing today, you understand that today I'm going</p> <p>6 to ask you some questions that you're going to answer to the</p> <p>7 best of your ability. The court reporter to your right is</p> <p>8 recording our questions and answers. Do you understand</p> <p>9 that?</p> <p>10 A. Right, uh-huh. I understand.</p> <p>11 Q. All right. And the transcript that is created by</p> <p>12 this deposition may or may not be used at the trial of this</p> <p>13 matter, as well as other areas of this matter. Do you</p> <p>14 understand that?</p> <p>15 A. Oh, okay.</p> <p>16 Q. Okay. I'm telling you that just to remind you</p> <p>17 that you are under oath. Your testimony today could be</p> <p>18 used --</p> <p>19 A. I understand.</p> <p>20 Q. -- in court, okay?</p> <p>21 A. I understand.</p> <p>22 Q. That's the reason I asked you earlier about your</p> <p>23 memory --</p> <p>24 A. Okay. Right.</p> <p>25 Q. -- and whether the medication might affect your</p>	<p>1 of the head or a shake of the head, okay?</p> <p>2 A. All right.</p> <p>3 Q. If you need a break today, all you need to do is</p> <p>4 let me know that, okay?</p> <p>5 A. Okay.</p> <p>6 Q. This is not any kind of marathon to see how long</p> <p>7 you can sit there and answer questions.</p> <p>8 A. That's good.</p> <p>9 Q. The only caveat I have for that is that if I've</p> <p>10 asked you a question, I prefer that you try to answer it</p> <p>11 before we take a break.</p> <p>12 A. Okay.</p> <p>13 Q. Now, again, if you just absolutely have to have a</p> <p>14 break, even with a question pending, all you have to do is</p> <p>15 tell me that and we can take a break, okay?</p> <p>16 A. All right.</p> <p>17 Q. Other thing is lunches and things like that I'm</p> <p>18 flexible with. So, if there's a period of time you need to</p> <p>19 stop and have a lunch, just let me know, all right?</p> <p>20 A. All right.</p> <p>21 Q. Okay.</p> <p>22 MR. SUSTAITA: Is now a good time?</p> <p>23 MR. McLAUGHLIN: Yeah. It's always a good</p> <p>24 time to eat in my book.</p> <p>25 Q. (BY MR. McLAUGHLIN) Ms. Netterville, are you</p>

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<p>1 currently employed?</p> <p>2 A. I am.</p> <p>3 Q. With whom?</p> <p>4 A. I'm actually through a</p> <p>5 PEO company. The PEO company is Odyssey One Source and</p> <p>6 hires, of course, Odyssey One Source to do</p> <p>7 all their HR. We even get our paychecks through Odyssey One</p> <p>8 Source and everything.</p> <p>9 Q. What do you do for -- I understand what you said</p> <p>10 about the PEO. I'll probably just ask you about what you do</p> <p>11 for Equest Management and all that.</p> <p>12 A. Okay.</p> <p>13 Q. What is your position with Equest?</p> <p>14 A. Administrative assistant.</p> <p>15 Q. Okay. How long have you been in that position?</p> <p>16 A. Two-and-a-half years.</p> <p>17 Q. What's your rate of pay?</p> <p>18 A. 29,000.</p> <p>19 Q. All right. You are hourly, correct, or</p> <p>20 incorrect?</p> <p>21 A. Yes. 13.94 an hour.</p> <p>22 Q. All right. What did your rate of pay start at</p> <p>23 when you first started doing the job with Equest?</p> <p>24 A. Well, I started as a -- with an agency. I</p> <p>25 believe that it was \$11 an hour.</p>	<p>1 Q. Now, you said you worked there approximately</p> <p>2 two-and-a-half years.</p> <p>3 A. Uh-huh.</p> <p>4 Q. Any interruptions for that two-and-a-half or --</p> <p>5 A. No. And I included within that two-and-a-half</p> <p>6 years the time I was with the -- the agency.</p> <p>7 Q. Correct. Understood. Prior to that, where did</p> <p>8 you work?</p> <p>9 A. Well, let's see. I was off maybe a month from</p> <p>10 work. Before that, I was working for</p> <p>11 , slash -- I mean, they had, like, six or</p> <p>12 seven LLC names. It depended on what was going on as to</p> <p>13 which company I was working for. They -- they leased</p> <p>14 space -- their main thing was leasing space and storefront</p> <p>15 properties.</p> <p>16 Q. Okay. Where is that business located?</p> <p>17 A. On Beamer in Houston, right across from San</p> <p>18 Jacinto College South.</p> <p>19 Q. All right.</p> <p>20 A. I don't know the address.</p> <p>21 Q. Okay. That's fine.</p> <p>22 A. I know the phone number.</p> <p>23 Q. How -- that's okay. How long did you work there?</p> <p>24 A. Six months.</p> <p>25 Q. Okay. Prior to that, where did you work?</p>
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<p>1 Q. And that -- but that -- when you say you started</p> <p>2 with an agency, that was -- again, you were actually working</p> <p>3 at Equest?</p> <p>4 A. Right. That was my assignment. They posted me</p> <p>5 to . It was through Office Team.</p> <p>6 Q. Okay. How did you go from Office Team to Odyssey</p> <p>7 One Source?</p> <p>8 A. Because when I first went to , they were</p> <p>9 Retirement Living Management, the -- when I was first</p> <p>10 posted, okay? Right after I went -- within a month after</p> <p>11 going to Retirement Living Management, had --</p> <p>12 Retirement Living -- see if I get this right. They filed</p> <p>13 for bankruptcy and was formed and they then did all</p> <p>14 of their HR stuff through Odyssey One Source.</p> <p>15 Q. Okay. To whom do you report?</p> <p>16 A. David Clement.</p> <p>17 Q. And with whom does he work, Equest or Odyssey?</p> <p>18 A. He -- all employees -- even the president is</p> <p>19 Odyssey One Source PEO.</p> <p>20 Q. Okay.</p> <p>21 A. We're leased employees.</p> <p>22 Q. So, what is his position?</p> <p>23 A. CFO.</p> <p>24 Q. CFO?</p> <p>25 A. Uh-huh.</p>	<p>1 A. Okay. I was off again for almost two months</p> <p>2 because it was the first of August to the end of September.</p> <p>3 And before that, it was a temporary position with</p> <p>4 Q. All right. a staffing company?</p> <p>5 A. Right. It was a temporary position, and I --</p> <p>6 Q. Where did place you?</p> <p>7 A. I can't remember the name of the place. They did</p> <p>8 remedial -- safety remedial work, like --</p> <p>9 Q. Okay.</p> <p>10 A. -- redoing the dirt and, you know, that --</p> <p>11 Q. Uh-huh.</p> <p>12 A. -- that kind of thing.</p> <p>13 Q. What did you do for that company?</p> <p>14 A. Mainly, I put together the reports that the guys</p> <p>15 that went out in the field and -- and found out what was</p> <p>16 wrong that needed to be remediated, put those reports</p> <p>17 together.</p> <p>18 Q. Okay. All right. Prior to that, prior to the</p> <p>19 Spherion position?</p> <p>20 A. Well, let's see. That was in April of -- at the</p> <p>21 end of April and I had been off work since Chevron/Phillips.</p> <p>22 Q. Okay. So, you're saying you started the Spherion</p> <p>23 position at the end of April of 2003?</p> <p>24 A. That's right.</p> <p>25 Q. And how long did you work the Spherion position?</p>

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<p style="text-align: right;">Page 14</p> <p>1 A. <b>Three-months.</b></p> <p>2 Q. All right. Which would bring you to the -- what</p> <p>3 did you call it, I?</p> <p>4 A. <b>Uh-huh.</b></p> <p>5 Q. ?</p> <p>6 A. <b>Uh-huh.</b></p> <p>7 Q. When did you --</p> <p>8 A. <b>I'm sorry.</b></p> <p>9 Q. <b>Sorry. I was thinking of the movie</b></p> <p>10 <b>probably.</b></p> <p>11 A. <b>The end of September.</b></p> <p>12 Q. Okay. You said you started the position</p> <p>13 the end of April.</p> <p>14 A. <b>Uh-huh.</b></p> <p>15 Q. So, we have May, June, July, approximately that</p> <p>16 you worked ?</p> <p>17 A. <b>Right. And right at the first of August, the</b></p> <p>18 <b>position -- they -- they closed that position down.</b></p> <p>19 Q. Okay. And you began when?</p> <p>20 A. <b>At the end of September.</b></p> <p>21 Q. All right. What did you do in between?</p> <p>22 A. <b>Laid in bed.</b></p> <p>23 Q. All right. And I take it that when you say that,</p> <p>24 you're referring to your chronic fatigue syndrome?</p> <p>25 A. <b>Yeah. I was depressed.</b></p>	<p style="text-align: right;">Page 16</p> <p>1 A. <b>Oh, my dogs.</b></p> <p>2 Q. All right. How many you got?</p> <p>3 A. <b>Four. No. One recently died.</b></p> <p>4 Q. I'm sorry. What kind of dogs?</p> <p>5 A. <b>Have two Beagle mixes and one Basenji.</b></p> <p>6 Q. What's that?</p> <p>7 A. <b>Basenji is an Egyptian dog.</b></p> <p>8 Q. Okay.</p> <p>9 A. <b>And they don't bark. They yodel.</b></p> <p>10 Q. Like a country singer, huh?</p> <p>11 A. <b>Uh-huh.</b></p> <p>12 Q. All right. That would be interesting. So, you</p> <p>13 began -- how did you find the position, I guess,</p> <p>14 is a better question?</p> <p>15 A. <b>My sister -- my other sister, not the one I live</b></p> <p>16 <b>with. I have another sister.</b></p> <p>17 Q. Okay.</p> <p>18 A. <b>-- called me and said, "Loren, there's a position</b></p> <p>19 <b>in the paper. It's around the corner from you. You can do</b></p> <p>20 <b>this. Come on. Go apply for it."</b></p> <p>21 Q. How long did you work at ?</p> <p>22 A. <b>Six months.</b></p> <p>23 Q. Six months. So, approximately through March of</p> <p>24 2004?</p> <p>25 A. <b>Uh-huh.</b></p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Well, was it because of chronic fatigue syndrome</p> <p>2 that you laid in bed or because you were depressed?</p> <p>3 A. <b>I'm sure it -- it was both probably.</b></p> <p>4 Q. Did you ever get any kind of medical input on the</p> <p>5 reason you laid in bed for that period of time?</p> <p>6 A. <b>No. I went to the doctor. I told her about it.</b></p> <p>7 Q. Which doctor, Salvato?</p> <p>8 A. <b>Dr. Salvato.</b></p> <p>9 Q. Okay. Am I correct -- is that a correct</p> <p>10 characterization then, that from approximately the first of</p> <p>11 August through the end of September you laid in bed?</p> <p>12 A. <b>Yeah.</b></p> <p>13 Q. Is that overstating it at all?</p> <p>14 A. <b>No.</b></p> <p>15 Q. Did you ever get up and do anything?</p> <p>16 A. <b>No.</b></p> <p>17 Q. I mean, besides --</p> <p>18 A. <b>Yeah. No. That would -- that would be -- I</b></p> <p>19 <b>remember my sister coming in, saying, "Why don't you get out</b></p> <p>20 <b>of bed. Why don't you" --</b></p> <p>21 Q. All right. Do you live with your sister?</p> <p>22 A. <b>I do.</b></p> <p>23 Q. Who else do you live with, if anyone?</p> <p>24 A. <b>No one.</b></p> <p>25 Q. All right.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. Okay. Why did you leave the position?</p> <p>2 A. <b>Didn't like it, didn't like what they did, didn't</b></p> <p>3 <b>like their ethics, didn't like -- always asked to do things</b></p> <p>4 <b>that I felt were legal -- illegal and morally wrong.</b></p> <p>5 Q. What sort of things?</p> <p>6 A. <b>Things like report a son's earnings on his</b></p> <p>7 <b>mother's 1099. Things like tell vendors that Jay never</b></p> <p>8 <b>agreed to something. He would tell me to get three bids for</b></p> <p>9 <b>something. I was to take the lowest. I showed them to Jay</b></p> <p>10 <b>and then he would tell the vendor, "She never showed me</b></p> <p>11 <b>that. I would have never agreed to paying that much," you</b></p> <p>12 <b>know.</b></p> <p>13 Q. Who's Jay, the owner?</p> <p>14 A. <b>The owner.</b></p> <p>15 Q. What's his name, Jay what?</p> <p>16 A. <b>Jay Jabadi.</b></p> <p>17 Q. Do you know how to spell that?</p> <p>18 A. <b>J-a-b-a-d-i.</b></p> <p>19 Q. Okay.</p> <p>20 A. <b>It's actually Muhammad and -- it's the middle</b></p> <p>21 <b>initial J., but we always called him Jay.</b></p> <p>22 Q. Got it. All right. What rate of pay did you</p> <p>23 earn that the job?</p> <p>24 A. <b>\$2100 a month.</b></p> <p>25 Q. Okay.</p>

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<p style="text-align: right;">Page 18</p> <p>1 A. And I -- I don't know -- I never did the 2 breakdown on it. 3 Q. Okay. When you say that you don't know, the 4 hourly? 5 A. Right. That's what I mean. 6 Q. So, was that a 40-hour a week job? 7 A. Uh-huh. 8 Q. Okay. Now, how long between and -- 9 well, I'll just call it 10 A. Yeah. Almost a month-and-a-half because by the 11 end of April, I was working the -- like, April 28th, April 12 29th I went to work for 13 Q. That would be April 28, '04? 14 A. Uh-huh. 15 Q. Okay. What did you do between and 16 17 A. Looked for a job, but mostly I was in bed. 18 Q. So, for about a -- well, was it about a month 19 between the two or longer than that? We didn't really pin 20 down a date in March. 21 A. Yeah. I think it was probably right at a month. 22 Q. Okay. Are you saying that you looked for a job 23 but that you also spent a lot of time in bed? 24 A. Uh-huh. 25 Q. And the time in bed, what was that from or what</p>	<p style="text-align: right;">Page 20</p> <p>1 A. No. 2 Q. Okay. You don't have any records of your medical 3 visits, correct, or incorrect? 4 A. No -- that's correct. I don't have anything. 5 Q. Okay. Did you review any documents to prepare 6 for your deposition today? 7 A. I did. 8 Q. What did you look at? 9 A. About 4 inches of -- 10 Q. Big stack of stuff? 11 A. Yeah. 12 Q. What sort of things were in the stack that you 13 recall? 14 A. My medical history that I filled out, the charges 15 that I filled out -- 16 Q. Okay. 17 A. -- e-mails between Mr. Thurman and the other 18 directors and vice presidents in our department and the 19 salespeople. 20 Q. Do you know if the documents you looked at were 21 documents produced by Chevron Phillips to the EEOC, some of 22 them anyhow? 23 A. I guess they were. 24 Q. Okay. Do you know if some of them were documents 25 that the EEOC produced to Chevron Phillips?</p>
<p style="text-align: right;">Page 19</p> <p>1 was that because of? 2 A. Probably more depression than anything else. I 3 felt pretty worthless. 4 Q. Did you see Dr. Salvato at that time? 5 A. I don't know. I could have because I saw her -- 6 you know, because of my high blood pressure, I see her every 7 three months -- 8 Q. Uh-huh. 9 A. -- and -- 10 Q. Did you -- well, back to the other time that you 11 talked about when you laid in bed between 12 for that period, did you go see Dr. Salvato 13 specifically for depression or what have you? 14 A. I'm not sure if I did or not. 15 Q. Okay. 16 A. It -- I would have to look at her records. 17 Q. All right. 18 A. I know that I saw her during that time. 19 Q. Right. Understood. But it could have been a 20 regularly scheduled visit. That's what you're saying? 21 A. That's right, but I also know that without 22 insurance, her doctor visits were, like, \$160, which I 23 didn't have, so I know I had to cancel some also. 24 Q. Okay. You don't have any of Dr. Salvato's 25 records, do you?</p>	<p style="text-align: right;">Page 21</p> <p>1 MR. SUSTAITA: I'll make a representation 2 that it's the disclosures. 3 MR. McLAUGHLIN: Okay. The documents we've 4 exchanged between -- okay. That's all I wanted. 5 A. Yeah. 6 Q. (BY MR. McLAUGHLIN) Did you look at any 7 documents beyond the documents that Mr. Sustaita just 8 referenced that were produced by either side in this 9 litigation? 10 A. All I looked at is what he gave me. 11 Q. Okay. Very good. Do you have any documents at 12 home that have anything to do with the case? 13 A. No. 14 Q. Do you have a home computer? 15 A. Yes. 16 Q. Do you have any documents on that computer that 17 have anything to do with the case? 18 A. Well, it's a fairly new computer. I got it well 19 after this and so, no, it wouldn't -- 20 Q. All right. During the time you were working at 21 Chevron Phillips, did you keep any kind of journal or diary 22 or anything like that that would include anything to do with 23 the work? 24 A. I kept journals regularly, you know -- well, not 25 regularly, but off and on, but -- and I went back looking --</p>

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<p style="text-align: right;">Page 22</p> <p>1 Q. Okay.</p> <p>2 A. -- and I didn't see anything that pertained</p> <p>3 specifically to Chevron Phillips.</p> <p>4 Q. Did you see anything that pertained to your</p> <p>5 termination by Chevron Phillips or the period right after</p> <p>6 that?</p> <p>7 A. No. There's a -- no, huh-uh.</p> <p>8 Q. There's a what?</p> <p>9 A. Well, there -- I think I have a couple that's</p> <p>10 missing, I can't find.</p> <p>11 Q. Couple of diaries, you mean?</p> <p>12 A. Right. I --</p> <p>13 Q. Okay.</p> <p>14 A. But I don't know that they have anything in them.</p> <p>15 Q. Okay.</p> <p>16 A. I don't remember writing at all at that time. I</p> <p>17 was pretty depressed and was pretty much not doing anything.</p> <p>18 Q. Okay. When I asked you -- when I asked you what</p> <p>19 you did between Silk Road and Equest, that month period, you</p> <p>20 said you looked for a job and that you were also -- you</p> <p>21 spent some time in bed.</p> <p>22 A. Uh-huh.</p> <p>23 Q. You said that was probably more from</p> <p>24 depression --</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 24</p> <p>1 the time you worked at Chevron Phillips?</p> <p>2 A. Some.</p> <p>3 Q. On and off? Is that -- when you say "some," I'm</p> <p>4 just --</p> <p>5 A. Some, yeah. Going through the divorce --</p> <p>6 Q. Uh-huh.</p> <p>7 A. -- divorces were pretty tough. They were --</p> <p>8 yeah, they were pretty tough and I did then, but it wasn't a</p> <p>9 regular thing that I just was depressed all the time. It</p> <p>10 was specific to --</p> <p>11 Q. Okay.</p> <p>12 A. -- the -- the divorce and --</p> <p>13 Q. What was the approximate -- what are the</p> <p>14 approximate years of the divorces?</p> <p>15 A. The first one -- okay. Let me see if I can even</p> <p>16 remember. First one was -- Tim was seven months old. That</p> <p>17 would have been 1980 -- '81, '82 -- maybe '83, the first</p> <p>18 one.</p> <p>19 Q. Okay. What about the second one?</p> <p>20 A. Second one drug on from 1990 to 1993.</p> <p>21 Q. The divorce did?</p> <p>22 A. Yes.</p> <p>23 Q. You mentioned earlier this is the same guy.</p> <p>24 A. Uh-huh.</p> <p>25 Q. What's his name?</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. -- than anything else. At that point in time,</p> <p>2 the depression you're talking about, what do you attribute</p> <p>3 that to?</p> <p>4 A. To the firing.</p> <p>5 Q. Okay.</p> <p>6 A. It took me a long time to get over it. I was --</p> <p>7 Q. How long did it take you get over it?</p> <p>8 A. Two, three years.</p> <p>9 Q. Okay.</p> <p>10 A. I mean, I still have problems. To interview now</p> <p>11 is almost a -- I'd just as soon stick my tongue to a frozen</p> <p>12 post.</p> <p>13 Q. Have a hard time finding a frozen post around</p> <p>14 here, you'd think.</p> <p>15 A. I know. I just think about that --</p> <p>16 Q. Movie?</p> <p>17 A. Christmas Story.</p> <p>18 Q. I'm with you.</p> <p>19 A. I feel -- it's very hard for me to believe in the</p> <p>20 people that I work for, period.</p> <p>21 Q. And have you -- go ahead.</p> <p>22 A. No. I just don't trust them.</p> <p>23 Q. You don't trust the people you work for?</p> <p>24 A. Any of them, any of them since then.</p> <p>25 Q. Okay. Have you experienced depression prior to</p>	<p style="text-align: right;">Page 25</p> <p>1 A.</p> <p>2 Q. In total, how long were you guys married,</p> <p>3 counting both marriages?</p> <p>4 A. Sixteen years.</p> <p>5 Q. All right. How long for the first one?</p> <p>6 A. Ten.</p> <p>7 Q. Okay. Why did you guys get divorced? I guess</p> <p>8 that's -- I guess there were two divorces.</p> <p>9 A. Yeah.</p> <p>10 Q. Was the reason the same both times?</p> <p>11 A. Yeah, his drinking and doing drugs and --</p> <p>12 Q. Okay.</p> <p>13 A. -- deciding that a wall was a good thing for me</p> <p>14 to go through.</p> <p>15 Q. So, he physically abused you during the marriage?</p> <p>16 A. He physically abused me, he mentally abused me,</p> <p>17 yes.</p> <p>18 Q. All right.</p> <p>19 A. But the kicker was when I found him smoking pot</p> <p>20 with my oldest son.</p> <p>21 Q. Was that the first one or the second one,</p> <p>22 divorce?</p> <p>23 A. Second one.</p> <p>24 Q. All right.</p> <p>25 A. Yeah.</p>

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7 (Pages 22 to 25)

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<p style="text-align: right;">Page 26</p> <p>1 Q. Did you ever bring criminal charges against him</p> <p>2 for abuse or anything like that?</p> <p>3 A. No, no. I -- went to a drug rehab though.</p> <p>4 Q. That's your older son?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Is there any sort of record of his -- of Terry</p> <p>7 Lunsford's abuse towards you?</p> <p>8 A. No. I didn't ever go to the police or anything</p> <p>9 like that, no.</p> <p>10 Q. Okay. Is it contained in the divorce records at</p> <p>11 all? In other words, did you ever give testimony or an</p> <p>12 affidavit or something talking about his abuse?</p> <p>13 A. I know that I talked about it with my lawyer, but</p> <p>14 I also know that no-fault divorce was --</p> <p>15 Q. Right.</p> <p>16 A. -- such the thing that they didn't really --</p> <p>17 Q. Right. Nobody really cared why.</p> <p>18 A. Right.</p> <p>19 Q. Understood. Who was your lawyer for -- was it</p> <p>20 the same for both?</p> <p>21 A. No.</p> <p>22 Q. Okay. Who was it for the first one, do you</p> <p>23 remember?</p> <p>24 A. No.</p> <p>25 Q. Okay. How about the second one?</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. How is it that he came to be sent to rehab or</p> <p>2 whatever? Did --</p> <p>3 A. took him. took him saying that I</p> <p>4 knew the alcohol abuse was going on. It was when he was</p> <p>5 trying to get --</p> <p>6 Q. It was during the divorce?</p> <p>7 A. Right. He was trying to get custody.</p> <p>8 Q. All right. How old was your son when he went to</p> <p>9 rehab?</p> <p>10 A. 14 or 15.</p> <p>11 Q. All right. Okay. How many sons do you have or</p> <p>12 how many -- I'm thinking sons because my wife's pregnant</p> <p>13 with my third son, so daughters in my family don't happen</p> <p>14 apparently.</p> <p>15 How many children do you have?</p> <p>16 A. I have five, three living.</p> <p>17 Q. Oh, I'm sorry. Are you saying that you had two</p> <p>18 other children who passed away?</p> <p>19 A. Yeah. It's something I'd rather not discuss.</p> <p>20 Q. All right. Let me -- let me avoid discussing</p> <p>21 details at the moment and see if I can try to do that</p> <p>22 throughout.</p> <p>23 A. Okay.</p> <p>24 Q. But is it -- is it accurate that -- you said</p> <p>25 five, three living. Is it accurate that whatever the</p>
<p style="text-align: right;">Page 27</p> <p>1 A. Catherine Gassner, Glassner, something like that.</p> <p>2 Q. Okay. She located in the Pasadena area or --</p> <p>3 A. No. Downtown.</p> <p>4 Q. Downtown?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Does she have a firm, do you remember?</p> <p>7 A. I think so, but I don't know what it is. I know</p> <p>8 she was on Caroline Street.</p> <p>9 Q. Okay. When you said -- I think you said your</p> <p>10 older son went to rehab,</p> <p>11 A. Uh-huh.</p> <p>12 Q. Did that work?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Okay. Good. Did he go to rehab particularly for</p> <p>15 any specific type of addiction or a bunch of different ones</p> <p>16 or what?</p> <p>17 A. I think what they determined is it was alcohol.</p> <p>18 Q. Alcohol abuse?</p> <p>19 A. Uh-huh.</p> <p>20 Q. Okay. But he had -- I take it he had a -- drug</p> <p>21 issue as well, or not?</p> <p>22 A. Well, all I know is that I caught that one time.</p> <p>23 Q. Uh-huh.</p> <p>24 A. I don't know if he regularly smoked marijuana or</p> <p>25 not.</p>	<p style="text-align: right;">Page 29</p> <p>1 situation is with regard to the other two has caused you</p> <p>2 grief?</p> <p>3 A. Yes.</p> <p>4 Q. Now, have you experienced any depression over</p> <p>5 that? And, again, I'm avoiding the situation --</p> <p>6 A. Yeah.</p> <p>7 Q. -- all of that, but have you experienced</p> <p>8 depression due to that?</p> <p>9 A. I did. I did for a while.</p> <p>10 Q. For how long of a while? And, again, I'm</p> <p>11 avoiding dates. I'm avoiding getting real specific, you</p> <p>12 know.</p> <p>13 A. I don't know. Maybe three or four years.</p> <p>14 Q. All right. Okay.</p> <p>15 A. It wasn't deep, black pit depression. It was</p> <p>16 just, you know, a lot of grieving.</p> <p>17 MR. SUSTAITA: Take just a tiny break?</p> <p>18 MR. McLAUGHLIN: Yeah, sure.</p> <p>19 (Recess from 10:44 a.m. to 10:46 a.m.)</p> <p>20 Q. (BY MR. McLAUGHLIN) Mrs. Netterville, do you</p> <p>21 need to add anything to your testimony?</p> <p>22 A. Yes. The two children were aborted --</p> <p>23 Q. I -- understood.</p> <p>24 A. -- okay? And I just -- I grieved for them and</p> <p>25 hurt for them until I named them.</p>

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1 Q. Okay.

2 A. **And once I accepted that -- that, then --**

3 Q. Understood. I actually -- I was actually on the

4 same page with you, but I didn't -- if you don't want to

5 talk about it -- look, through this process, I will have to

6 ask you some questions that are unpleasant. I won't

7 necessarily want to ask them, you may not want to answer

8 them. It is unfortunately part of the process. What I can

9 tell you is I will avoid, you know, upsetting you, to the

10 extent I can, I will avoid getting into things if at all

11 possible. I'm not here, you know, to see how upset you can

12 get or anything like that, all right? I will try to respect

13 your wishes in that regard. If I cannot, I will tell you

14 that I cannot and I will tell you that I have to proceed,

15 okay?

16 A. **Okay.**

17 Q. All right. You said it wasn't the black pit of

18 depression or something like that. Have you experienced the

19 black pit of depression?

20 A. **Yeah.**

21 Q. More than once?

22 A. **Yeah.**

23 Q. With regard to what?

24 A. **One was a personal issue that -- just a personal**

25 **issue when my son almost died, my youngest son almost died.**

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1 Q. Okay. What else?

2 A. **And the other -- and it -- the other was -- and I**

3 **know it's -- when I was fired, I felt like I was -- I just**

4 **felt like I was worthless and -- I just did.**

5 Q. Okay. Is it the case then that the two worst

6 episodes of depression in your life are when your youngest

7 son almost died and when you were fired?

8 A. **Yes, because I felt like I could never -- that I**

9 **would never -- it took me a while to understand that I would**

10 **be able to work again. By this time, I was by myself**

11 **basically.**

12 Q. What do you mean by that?

13 A. **I mean, I didn't -- my boys were gone --**

14 Q. Okay.

15 A. **-- you know, and I was afraid of not being able**

16 **to support myself.**

17 Q. All right. Back to your -- just backing up a

18 minute, the journal you mentioned, do you -- in that

19 journal, do you record information that pertains to your

20 chronic fatigue immune deficiency syndrome?

21 A. **I may have.**

22 Q. Okay.

23 A. **It's been a while since I journaled, but I may**

24 **have things about it.**

25 Q. When you say it's been a while since you

Page 32

1 journaled, how long has it been?

2 A. **I know I haven't in this year. Maybe a year,**

3 **maybe a year and a half.**

4 Q. All right. Did you -- did you make entries in

5 the journal prior to the time you worked at Chevron

6 Phillips?

7 A. **Yes.**

8 Q. What about during the time you worked at Chevron

9 Phillips?

10 A. **Yes.**

11 Q. What about after the time you worked at Chevron

12 Phillips?

13 A. **There may be some journals after, but not too**

14 **much.**

15 Q. Okay. All right. So, it's possible that there

16 are entries at some point in these journals we're talking

17 about that pertain to chronic fatigue syndrome but you're

18 not sure of that?

19 A. **That's right.**

20 Q. Okay. And this is -- these journals, where do

21 you maintain them? Where do you keep them, at home?

22 A. **Yeah.**

23 Q. Okay. Handwritten?

24 A. **Uh-huh.**

25 Q. Did you ever talk to Dr. Salvato about the -- and

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1 this is -- I'm assuming something that I should have

2 covered. But, anyhow, did you ever talk to Dr. Salvato

3 about the abuse you experienced at the hands of Terry

4 Lunsford?

5 A. **Yes.**

6 Q. All right. Is that something you talked to her

7 about frequently or maybe just mentioned once or twice, do

8 you know?

9 A. **Probably just mentioned it now and again. She**

10 **wasn't my doctor back then.**

11 Q. Right. That's what I was saying I assumed that I

12 probably shouldn't do, that she was your doctor back then.

13 A. **Yeah.**

14 Q. Who was your doctor back then?

15 A. **I don't know.**

16 Q. All right. Now, when did you start seeing

17 Dr. Salvato?

18 A. **In May of 2002 -- 2000 -- she was the doctor I**

19 **chose as my --**

20 Q. Like, your primary care physician?

21 A. **-- like, my primary care when I first got**

22 **insurance through Chevron Phillips. Both my sisters saw her**

23 **and she was around the corner from -- someone I could get to**

24 **easily from work.**

25 Q. Okay. So, you had not seen her prior to the time

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<p style="text-align: right;">Page 34</p> <p>1 you began working with Chevron Phillips; is that correct?</p> <p>2 <b>A. That's right. Now, in 1987 --</b></p> <p>3 <b>Q. Okay.</b></p> <p>4 <b>A. -- I saw her for three months.</b></p> <p>5 <b>Q. All right. What for?</b></p> <p>6 <b>A. Well, we did a lot of testing. I had -- I was</b></p> <p>7 <b>tired. I was, you know, having problems. She said -- I</b></p> <p>8 <b>honestly don't know if she said, "You have it," or, "You may</b></p> <p>9 <b>have it." It was very vague then. It wasn't real</b></p> <p>10 <b>clear-cut.</b></p> <p>11 <b>Q. Is it -- is this the first that you heard that</b></p> <p>12 <b>you may have</b></p> <p>13 <b>A. That's right.</b></p> <p>14 <b>Q. Is it all right if I call it that instead of</b></p> <p>15</p> <p>16 <b>A. Yeah.</b></p> <p>17 <b>Q. Just trying to shorten my verbiage. So, if you</b></p> <p>18 <b>were diagnosed with it back then, it would have been</b></p> <p>19 <b>Dr. Salvato that made the diagnosis?</b></p> <p>20 <b>A. Yes, it would have.</b></p> <p>21 <b>Q. Okay. Is it possible that any other physician</b></p> <p>22 <b>made that diagnosis?</b></p> <p>23 <b>A. No, it is not.</b></p> <p>24 <b>Q. Have you seen any other physician besides</b></p> <p>25 <b>Dr. Salvato for</b></p>	<p style="text-align: right;">Page 36</p> <p>1 <b>Q. Do you recall the dates approximately? If you</b></p> <p>2 <b>don't, that's fine. I know --</b></p> <p>3 <b>A. I would -- no.</b></p> <p>4 <b>Q. I'm sure it's in the records somewhere.</b></p> <p>5 <b>A. Yeah. I don't. I don't.</b></p> <p>6 <b>Q. Okay. What did you do for</b></p> <p>7 <b>Schools?</b></p> <p>8 <b>A. I was the administrator's secretary.</b></p> <p>9 <b>Q. Okay.</b></p> <p>10 <b>A. I did the school newsletter, did school</b></p> <p>11 <b>brochures. I created the school brochures.</b></p> <p>12 <b>Q. All right. So, to whom did you report? I guess</b></p> <p>13 <b>it would have been the administrator.</b></p> <p>14 <b>A. Danna Curlee.</b></p> <p>15 <b>Q. Danna?</b></p> <p>16 <b>A. Uh-huh. D-a-n-n-a C-u-r-l-e-e, and that's my</b></p> <p>17 <b>sister.</b></p> <p>18 <b>Q. I was going to say I've seen that name somewhere.</b></p> <p>19 <b>A. That's my sister.</b></p> <p>20 <b>Q. All right. So, essentially, you reported to your</b></p> <p>21 <b>sister for a couple of years?</b></p> <p>22 <b>A. Uh-huh.</b></p> <p>23 <b>Q. How did that go?</b></p> <p>24 <b>A. Not bad. She's a real strong personality and I'm</b></p> <p>25 <b>a follow person.</b></p>
<p style="text-align: right;">Page 35</p> <p>1 <b>A. No.</b></p> <p>2 <b>Q. All right. And you didn't -- so, in 1987, you</b></p> <p>3 <b>saw her. Is that because one of your sisters referred you</b></p> <p>4 <b>to her?</b></p> <p>5 <b>A. That's right. My youngest one had seen an</b></p> <p>6 <b>article in the paper. She said, "You know, this kind of</b></p> <p>7 <b>sounds like what's going on. Why don't you go see her."</b></p> <p>8 <b>Q. Okay. All right. And you didn't see her again</b></p> <p>9 <b>until after several -- CP Chem?</b></p> <p>10 <b>A. That's right.</b></p> <p>11 <b>Q. Okay. I got kind of sidetracked. But back to</b></p> <p>12 <b>Mr. Lunsford -- have you been married besides your marriages</b></p> <p>13 <b>to him?</b></p> <p>14 <b>A. No.</b></p> <p>15 <b>Q. All right. How old are your sons? Your</b></p> <p>16 <b>children. I don't know if they're all sons or not.</b></p> <p>17 <b>A. All sons. 31, 26, 25.</b></p> <p>18 <b>Q. All right. Do they live in the area?</b></p> <p>19 <b>A. Uh-huh.</b></p> <p>20 <b>Q. Okay. Prior to work at Chevron Phillips,</b></p> <p>21 <b>where -- what was the job you had prior to moving to CP</b></p> <p>22 <b>Chem?</b></p> <p>23 <b>A. Worked for</b></p> <p>24 <b>Q. How long did you work there?</b></p> <p>25 <b>A. Two years.</b></p>	<p style="text-align: right;">Page 37</p> <p>1 <b>Q. So, it worked out okay in that sense?</b></p> <p>2 <b>A. Uh-huh, uh-huh.</b></p> <p>3 <b>Q. Why did you leave there?</b></p> <p>4 <b>A. Because I had a chance to go work for Chevron</b></p> <p>5 <b>Phillips. A friend of mine had went to Temp Connection.</b></p> <p>6 <b>Q. Uh-huh.</b></p> <p>7 <b>A. -- and she said, "Oh, come see these people."</b></p> <p>8 <b>She wanted me to get on with her at Duke.</b></p> <p>9 <b>Q. Uh-huh.</b></p> <p>10 <b>A. And, instead, they sent me to CP Chem.</b></p> <p>11 <b>Q. Well, you left</b></p> <p>12 <b>go to the Temp Connection, right?</b></p> <p>13 <b>A. Right.</b></p> <p>14 <b>Q. You didn't know you were going to CP Chem.</b></p> <p>15 <b>A. That's true.</b></p> <p>16 <b>Q. So, why did you initially decide to leave</b></p> <p>17 <b>I</b></p> <p>18 <b>A. Because of the possibility of making more money.</b></p> <p>19 <b>When I went to Temp Connection, they thought my skills were</b></p> <p>20 <b>good skills.</b></p> <p>21 <b>Q. Okay. Got it. Now, prior to</b></p> <p>22 <b>where did you work?</b></p> <p>23 <b>A. I was off for a while. That's during the time my</b></p> <p>24 <b>son almost died.</b></p> <p>25 <b>Q. Now, when you talk about that, are you talking</b></p>

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<p>1 about your son having meningitis?</p> <p>2 A. (Witness nods head affirmatively.)</p> <p>3 Q. Which son?</p> <p>4 A. My youngest.</p> <p>5 Q. Okay. So, there was a period you were off while</p> <p>6 he was sick?</p> <p>7 A. Yeah. And I worked some for to make some</p> <p>8 money.</p> <p>9 Q. What was your position with</p> <p>10 A. I car-hopped and I was the night manager.</p> <p>11 Q. How long did you hold that position?</p> <p>12 A. Probably six months.</p> <p>13 Q. Okay. Well, let's get to the next one and then</p> <p>14 I'll try and fill in the time. So, prior to the time you're</p> <p>15 off a while and also working where did you work?</p> <p>16 A.</p> <p>17 Q. What did you do for</p> <p>18</p> <p>19 A. I was a registered --</p> <p>20 Q. Registered rep?</p> <p>21 A. Registered sales assistant.</p> <p>22 Q. Okay. Registered -- what's that mean?</p> <p>23 A. Means I took and passed the Series 7 and Series</p> <p>24 63 to sell stocks and bonds and such in the State of Texas.</p> <p>25 Q. So, you were registered with the NASD then,</p>	<p>1 A. Uh-huh. Yes.</p> <p>2 Q. Now, did you actually sell the securities or did</p> <p>3 these stock brokers sell the securities?</p> <p>4 A. There was times I actually sold them.</p> <p>5 Q. So, what kind of products are we talking about,</p> <p>6 what kind of financial products?</p> <p>7 A. Mostly mutual funds.</p> <p>8 Q. Okay.</p> <p>9 A. Did some retirement, small retirement accounts.</p> <p>10 Q. And what sort of customers did you deal with when</p> <p>11 you sold these registered products? Individuals,</p> <p>12 businesses?</p> <p>13 A. Yes -- no. Individuals.</p> <p>14 Q. How did you find them?</p> <p>15 A. They were -- be -- already be customers of</p> <p>16 these -- these brokers and it would be somebody -- maybe</p> <p>17 they'd come in and say, "I want to do something. So-and-so</p> <p>18 broker's not in the office." That's why they got me</p> <p>19 registered, so I could handle that.</p> <p>20 Q. Okay. All right. You said you worked there</p> <p>21 two-and-a-half years?</p> <p>22 A. Uh-huh.</p> <p>23 Q. How long were you registered? Same period of</p> <p>24 time?</p> <p>25 A. Two years.</p>
Page 39	Page 41
<p>1 right?</p> <p>2 A. I was.</p> <p>3 Q. When you were registered with the NASD, was it</p> <p>4 under Netterville or Lunsford?</p> <p>5 A. Netterville.</p> <p>6 Q. All right. How long did you work at</p> <p>7 approximately?</p> <p>8 A. Two-and-a-half years.</p> <p>9 Q. When you say "registered sales assistant," were</p> <p>10 you a sales assistant to someone?</p> <p>11 A. Uh-huh. To stock brokers.</p> <p>12 Q. To whom? I mean, anybody in particular?</p> <p>13 A. Let's see if I can remember names. Jodi -- I</p> <p>14 can't remember Jodi's last name. Jodi --</p> <p>15 Q. Male or female?</p> <p>16 A. Female. Susan.</p> <p>17 Q. Don't remember her last name either?</p> <p>18 A. No. I'm thir king. I don't remember. George.</p> <p>19 Q. Okay. Where were these folks located?</p> <p>20 A. Galleria.</p> <p>21 Q. So, you worked out of the Galleria area?</p> <p>22 A. Uh-huh.</p> <p>23 Q. It was actually in the Galleria?</p> <p>24 A. Uh-huh.</p> <p>25 Q. In one of the office buildings there?</p>	<p>1 Q. Okay. So, you started working there as a sales</p> <p>2 assistant and then at some point became registered?</p> <p>3 A. Right.</p> <p>4 Q. How were you paid?</p> <p>5 A. I -- let's see. I don't know if it was biweekly</p> <p>6 or 1st and 15th, and then I also got compensation from some</p> <p>7 of the brokers themselves.</p> <p>8 Q. Well, were you commissioned partly or not?</p> <p>9 A. Uh-huh. No.</p> <p>10 Q. When you say compensation from some of the</p> <p>11 brokers themselves, why did they --</p> <p>12 A. Because that was just the way it was done. If</p> <p>13 you had an assistant that could do that --</p> <p>14 Q. Okay.</p> <p>15 A. -- then, you know, they -- the -- it was kind of</p> <p>16 expected of you to --</p> <p>17 Q. All right. Do you know how much you made while</p> <p>18 you worked there roughly per year, or is there a way to</p> <p>19 quantify it?</p> <p>20 A. Seems like my -- my base salary was 33,000. One</p> <p>21 year, I made 39,000. That was a -- one year.</p> <p>22 Q. All right.</p> <p>23 A. It was when I made a -- got quite a bit of broker</p> <p>24 compensation that one year.</p> <p>25 Q. Okay. So, how much time --</p>

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<p>1 A. That was --</p> <p>2 Q. I'm sorry. Go ahead.</p> <p>3 A. I'm sorry.</p> <p>4 Q. No. I cut you off.</p> <p>5 A. I don't know. I don't --</p> <p>6 Q. Okay. How much time was there between</p> <p>7 roughly? If you</p> <p>8 don't know, that's fine. We can figure it out later.</p> <p>9 A. I don't know. I'd have to figure that out.</p> <p>10 Q. That's fine. Why did you leave the</p> <p>11 job?</p> <p>12 A. My son.</p> <p>13 Q. He got sick?</p> <p>14 A. Yeah. Yeah, and --</p> <p>15 Q. Okay. So, when -- when your son recovered,</p> <p>16 instead of going to why</p> <p>17 didn't you go back into the industry, the sort</p> <p>18 of thing?</p> <p>19 A. Well, he had to have a lot of rehab and I just</p> <p>20 couldn't do that and go to the Galleria.</p> <p>21 Q. But couldn't you -- go ahead.</p> <p>22 A. What?</p> <p>23 Q. I was just going to ask -- you live in the</p> <p>24 Pasadena area?</p> <p>25 A. Uh-huh.</p>	<p>1 A. Galleria.</p> <p>2 Q. Okay. So, all of these are Galleria?</p> <p>3 A. Uh-huh.</p> <p>4 Q. All right. Prior to</p> <p>5 A. Worked for a temporary agency,</p> <p>6 Q. Okay. was -- again, was that a</p> <p>7 financial thing?</p> <p>8 A. No.</p> <p>9 Q. What was that?</p> <p>10 A. That's a staffing -- it's now.</p> <p>11 Q. Oh, is?</p> <p>12 A. Uh-huh.</p> <p>13 Q. Got sucked up by or something?</p> <p>14 A. Uh-huh.</p> <p>15 Q. Okay. Let me mark something real quick.</p> <p>16 MR. McLAUGHLIN: Mr. Sustaita, I'm just going</p> <p>17 to mark these "Netterville" or go by number, or do you want</p> <p>18 to work sequentially or anything?</p> <p>19 MR. SUSTAITA: That's fine.</p> <p>20 MR. McLAUGHLIN: I really don't care.</p> <p>21 Totally flexible myself about stuff like that.</p> <p>22 (Netterville Exhibit No. 1 marked.)</p> <p>23 Q. (BY MR. McLAUGHLIN) Ms. Netterville, I'm going</p> <p>24 to pass over what I've marked as Netterville No. 1. Just</p> <p>25 take a moment to look at it, if you would.</p>
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<p>1 Q. Are there no brokerage shops out in that area, or</p> <p>2 at the time there were none?</p> <p>3 A. If there were, I didn't know about them.</p> <p>4 Q. All right. Okay. Who did you report to at</p> <p>5</p> <p>6 A. Laura -- I can see her. Laura.</p> <p>7 Q. That's okay.</p> <p>8 A. I --</p> <p>9 Q. Prior to where did you work?</p> <p>10 A.</p> <p>11 Q. What's that?</p> <p>12 A. They're a bond house.</p> <p>13 Q. So, sort of the same general industry?</p> <p>14 A. Uh-huh.</p> <p>15 Q. How long there?</p> <p>16 A. One year.</p> <p>17 Q. And then just real quick, prior to where did</p> <p>18 you work?</p> <p>19 A.</p> <p>20 Q. Okay. How long?</p> <p>21 A. Two-and-a-half years, I think.</p> <p>22 Q. Where were these -- where was</p> <p>23 located?</p> <p>24 A. Galleria.</p> <p>25 Q. And what about --</p>	<p>1 A. (Witness complies.)</p> <p>2 Q. Have you had a moment to look at the document or</p> <p>3 do you need more time?</p> <p>4 A. Uh-huh. Huh-uh.</p> <p>5 Q. Okay. Please articulate.</p> <p>6 A. Oh, I'm sorry. No, I don't.</p> <p>7 Q. That's okay. It happens all the time. It's not</p> <p>8 a big deal. Okay. That's a resume you created; is that</p> <p>9 right?</p> <p>10 A. That's correct.</p> <p>11 Q. Did you create it on a computer that you owned or</p> <p>12 did you go to a Kinko's or -- or how did you create the</p> <p>13 document?</p> <p>14 A. I don't know. Can't -- I don't remember doing</p> <p>15 it, so --</p> <p>16 Q. Okay.</p> <p>17 A. You know, I -- we had a computer at home, so it's</p> <p>18 quite possible I did it there.</p> <p>19 Q. All right. Did you -- do you see anything on</p> <p>20 there that is not accurate?</p> <p>21 A. Yeah. Well, I see where I wasn't accurate when I</p> <p>22 said I was at for three-and-a-half years. I</p> <p>23 was only there a year and a half.</p> <p>24 Q. Well, wait a minute. Are you talking about -- is</p> <p>25 the resume accurate? That's what I'm asking. I probably</p>

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<p style="text-align: right;">Page 46</p> <p>1 didn't ask it very well?</p> <p>2 <b>A. Well, yes.</b></p> <p>3 Q. You're comparing it with your prior testimony?</p> <p>4 <b>A. Right.</b></p> <p>5 Q. That's fine. I understand that dates and stuff</p> <p>6 aren't always going to be things you remember right off the</p> <p>7 top of your head, but that's why -- if you'll look at the</p> <p>8 resume and point out anything in here you think is not</p> <p>9 accurate, then we can talk about whether it's the same or</p> <p>10 different from your testimony and all that.</p> <p>11 <b>A. Okay.</b></p> <p>12 Q. Anything in there that you see that is not</p> <p>13 accurate?</p> <p>14 <b>A. No.</b></p> <p>15 Q. Okay. That's fine. Now let's talk about your</p> <p>16 work at CP Chem, if we could.</p> <p>17 <b>A. Okay.</b></p> <p>18 Q. I'm going to go ahead and mark your application.</p> <p>19 (Netterville Exhibit No. 2 marked.)</p> <p>20 Q. (BY MR. McLAUGHLIN) I'm passing to you what's</p> <p>21 been marked Netterville No. 2.</p> <p>22 <b>A. Okay.</b></p> <p>23 Q. Just take a moment, Ms. Netterville, and tell me</p> <p>24 if you can identify that document.</p> <p>25 <b>A. Yeah. Yes.</b></p>	<p style="text-align: right;">Page 48</p> <p>1 Q. And you testified earlier that you went from</p> <p>2 to the right?</p> <p>3 <b>A. Uh-huh, uh-huh.</b></p> <p>4 Q. Does it sound about right that you would have</p> <p>5 quit the job around December of</p> <p>6 2000?</p> <p>7 <b>A. Uh-huh.</b></p> <p>8 Q. Okay. And you need to try to answer with a</p> <p>9 "yes."</p> <p>10 <b>A. Yes, yes, yes.</b></p> <p>11 Q. I forgot, too. I mean, I should be reminding you</p> <p>12 and I'm not. Okay. What -- when you began working at CP</p> <p>13 Chem through the Temp Connection, what department did you</p> <p>14 work in?</p> <p>15 <b>A. Specialty chemicals.</b></p> <p>16 Q. To whom did you report?</p> <p>17 <b>A. Well, there's the kicker. I didn't know for</b></p> <p>18 <b>quite a while. I thought I reported to Dan Coombs because</b></p> <p>19 <b>that's who I was assigned to, but it took a while for me to</b></p> <p>20 <b>find out that I didn't report to Dan Coombs, I reported to</b></p> <p>21 <b>Gary Thurman.</b></p> <p>22 Q. Did it matter to you?</p> <p>23 <b>A. Well, just that it was very confusing.</b></p> <p>24 Q. Who hired you when you went from temp to</p> <p>25 full-time employee?</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Okay. Is this an employment application?</p> <p>2 <b>A. It is for employment.</b></p> <p>3 Q. Is it completed in your hand, or no?</p> <p>4 <b>A. Yes, it is.</b></p> <p>5 Q. All right. And is it your signature on the third</p> <p>6 page at the bottom?</p> <p>7 <b>A. Yes, it is.</b></p> <p>8 Q. And the date is May 9, 2001, correct?</p> <p>9 <b>A. That's right.</b></p> <p>10 Q. All right. Now, if you look at the first page at</p> <p>11 the top, the date is April 5, 2001, correct? Do you see</p> <p>12 where I'm -- I can point, if you like.</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. All right. When did you -- do you know when</p> <p>15 approximately you began working at Chevron Phillips, you</p> <p>16 know, as a temp?</p> <p>17 <b>A. December --</b></p> <p>18 Q. Okay.</p> <p>19 <b>A. -- 2000, I think -- or maybe first -- right at</b></p> <p>20 <b>the first of the month.</b></p> <p>21 Q. All right. Your -- if we look back at your</p> <p>22 resume, the most recent position on there at the top is</p> <p>23 November 1999 through present. And that's the</p> <p>24 position, right?</p> <p>25 <b>A. Uh-huh, uh-huh.</b></p>	<p style="text-align: right;">Page 49</p> <p>1 <b>A. Richard Jones.</b></p> <p>2 Q. Who's Richard Jones?</p> <p>3 <b>A. He was -- he was, you know -- what was that</b></p> <p>4 <b>position called? He was the customer service -- head of</b></p> <p>5 <b>customer service. Something happened, and I don't know</b></p> <p>6 <b>what, and he was moved to another position and Gary became</b></p> <p>7 <b>the customer service. Maybe it was -- it was Richard when I</b></p> <p>8 <b>first came.</b></p> <p>9 Q. As a temp?</p> <p>10 <b>A. Yeah.</b></p> <p>11 Q. Okay. So, it may be that when you joined up as a</p> <p>12 temp, you were dealing with Richard Jones?</p> <p>13 <b>A. Richard, yeah.</b></p> <p>14 Q. Is it possible or do you recall that maybe Gary</p> <p>15 Thurman was the person who hired you?</p> <p>16 <b>A. Yeah, yeah.</b></p> <p>17 Q. Okay.</p> <p>18 <b>A. Gary then. I'm having to put it together in my</b></p> <p>19 <b>mind; but, yeah, that's right, Gary was the one who actually</b></p> <p>20 <b>gave me the letter -- offer of employment.</b></p> <p>21 Q. Okay. All right. And so when Gary hired you,</p> <p>22 from that point forward, did you know you were reporting to</p> <p>23 Gary Thurman or did you think you might be reporting to Dan</p> <p>24 Coombs?</p> <p>25 <b>A. No. By that point, I knew it was Gary Thurman.</b></p>

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October 10, 2006

<p style="text-align: right;">Page 50</p> <p>1 Q. Okay. So, it was during that temp period that</p> <p>2 you didn't know who you were reporting to?</p> <p>3 A. Uh-huh, yeah.</p> <p>4 Q. Now, during your -- after you -- and I'm going</p> <p>5 to -- when I ask you about during your employment as we're</p> <p>6 having this discussion today, I'll be talking about the</p> <p>7 period after which you stopped being a temp and started</p> <p>8 being an employee, okay?</p> <p>9 A. All right.</p> <p>10 Q. And if you feel like you need to clarify it, just</p> <p>11 feel free to do so. It's a little confusing because for a</p> <p>12 portion of your employment, you were actually an employee of</p> <p>13 the Temp Connection; and then for most of it, you were</p> <p>14 actually an employee of Chevron Phillips.</p> <p>15 A. That's right.</p> <p>16 Q. Okay. So, during your employment, did you report</p> <p>17 exclusively to Gary Thurman or did you report to Gary and</p> <p>18 Dan or even more people, or what?</p> <p>19 A. Well, yeah. I -- it was -- it was truly</p> <p>20 confusing. It was Gary, it was Dan, it was Richard --</p> <p>21 Q. Well, Richard was just while you were a temp.</p> <p>22 Right or wrong?</p> <p>23 A. Right, right, but that -- what I'm saying is when</p> <p>24 I was first there. Okay. You're saying when I was first</p> <p>25 there after I got hired?</p>	<p style="text-align: right;">Page 52</p> <p>1 over the department?</p> <p>2 A. That's right.</p> <p>3 Q. And Gary reported to Dan?</p> <p>4 A. That's right.</p> <p>5 Q. And you reported to Gary?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Did you also work for Dan some?</p> <p>8 A. Oh, that's who I did most of my work for.</p> <p>9 Q. Okay.</p> <p>10 A. That's why it was -- even after, it was</p> <p>11 confusing.</p> <p>12 Q. Was working for Dan problematic for you at all?</p> <p>13 A. Sometimes.</p> <p>14 Q. Why?</p> <p>15 A. I felt like he didn't voice what he wanted from</p> <p>16 me.</p> <p>17 Q. Okay.</p> <p>18 A. You know, I didn't know -- he -- he would tell</p> <p>19 Gary and -- sometimes and -- it was just very confusing --</p> <p>20 Q. Okay.</p> <p>21 A. -- the whole situation like that, when you're</p> <p>22 supposed to report to one person but you're mainly working</p> <p>23 for another.</p> <p>24 Q. Right.</p> <p>25 A. It was -- it could cause problems.</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Yes.</p> <p>2 A. Oh, okay. Then I knew I was reporting -- Gary</p> <p>3 was my direct supervisor, but Dan really directed my work.</p> <p>4 Q. Did Gary report to Dan?</p> <p>5 A. Yes.</p> <p>6 Q. Let's go ahead and try and set the stage here for</p> <p>7 as of the time after Gary hires you.</p> <p>8 A. Uh-huh.</p> <p>9 Q. Do you recall what Gary's title was at that time?</p> <p>10 A. I'm -- something to do with customer --</p> <p>11 Q. All right.</p> <p>12 A. -- representative supervisor, something like</p> <p>13 that.</p> <p>14 Q. No problem. It will be on an e-mail that I</p> <p>15 expect we'll mark one at some point today, so we'll see it</p> <p>16 later. I just wanted to see if you remember.</p> <p>17 A. Yeah. Something like that.</p> <p>18 Q. Do you recall what Dan's title was at the time?</p> <p>19 A. General manager.</p> <p>20 Q. General manager. And you recall that for that</p> <p>21 department -- wasn't it the specialty chemical department?</p> <p>22 A. Uh-huh.</p> <p>23 Q. Correct?</p> <p>24 A. That's right. Thank you.</p> <p>25 Q. For that department, is it true then that Dan was</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. So -- so, Dan wasn't -- if I hear you right, Dan</p> <p>2 wasn't clear in his instructions to you. Is that part</p> <p>3 correct?</p> <p>4 A. Yes.</p> <p>5 Q. And instead of dealing directly with you, he</p> <p>6 would say something to Gary?</p> <p>7 A. Exactly.</p> <p>8 Q. And then you'd be dealing with Gary about it?</p> <p>9 A. Right.</p> <p>10 Q. Okay. I mean, does that characterize your</p> <p>11 employment basically? Did that kind of repeat itself?</p> <p>12 A. Yes.</p> <p>13 Q. All right.</p> <p>14 (Sotto voce discussion.)</p> <p>15 MR. McLAUGHLIN: Do you need to take a break?</p> <p>16 Let's take one.</p> <p>17 (Recess from 11:16 a.m. to 11:29 a.m.)</p> <p>18 Q. (BY MR. McLAUGHLIN) Ms. Netterville, do you need</p> <p>19 to add anything to any prior testimony?</p> <p>20 A. No.</p> <p>21 Q. Not so far as you know anyhow.</p> <p>22 A. No.</p> <p>23 Q. Okay. We were talking about your work at Chevron</p> <p>24 Phillips and sort of the dynamic between Dan Coombs, Gary</p> <p>25 Thurman, and you, right?</p>

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